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February 3, 1997

RECEIVED
FEB 4 1997
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VIA UNITED PARCEL SERVICE

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

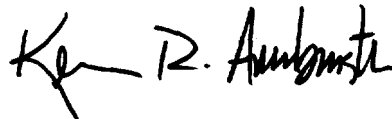
Re: Quality Broadcasting, Inc. / AM Radio Station WNEX
MM Docket No. 96-223; File No. BR-951130C7

To the Secretary:

In connection with the above-referenced proceeding concerning the renewal of the broadcast station license for AM Radio Station WNEX, I am enclosing a motion for summary decision (one original and six photocopies).

Please call me if you have any questions.


Very truly yours,



Kevin R. Armbruster

KRA/lf
Enclosure

cc: Hon. Arthur Steinberg, Administrative Law Judge, Federal Communications Commission,
1919 M Street, N.W., Washington, D.C. 20554 (w/encl., via U.S. Mail)
Mr. James W. Shook, Mass Media Bureau, Room 8210, Federal Communications
Commission, 2025 M Street, N.W., Washington, D.C. 20554 (w/encl., via UPS)
Mr. James T. McAfee, Jr. (w/encl.)



Before the
FEDERAL COMMUNICATIONS COMMISSION DA 96-1833
Washington, D.C. 20554

In the Matter of) MM Docket No. 96-223
Quality Broadcasting, Inc.) File No. ~~PR-951130C7~~
For Renewal of License)
for Station WNEX (AM), Macon, Georgia)

FEB 4 1997

MOTION BY QUALITY BROADCASTING, INC. FOR SUMMARY DECISION

Quality Broadcasting, Inc. ("Quality"), licensee of AM radio station WNEX, Macon, Georgia ("WNEX"), hereby moves for summary decision in this license-renewal proceeding. Quality requests that the Commission grant Quality's pending application for renewal of the broadcast station license for WNEX, and dismiss this license-renewal proceeding, without a hearing.

In support of this motion, Quality shows the following:

1. WNEX is no longer silent. It has resumed operations as authorized by its license. It came back on the air on November 22, 1996, and will remain on the air for the foreseeable future. Quality has notified the Commission of the resumption of the station's operations by letters dated December 12, 1996, and January 15, 1996, copies of which are attached to this motion.


2. An application for authority to assign the station's broadcast license to TM Communications, Inc. (owned by J. Thomas McAfee, III) ("TMC") is pending with the Commission. TMC submitted the application to the Commission on December 12, 1996, in connection with TMC's purchase of the station. See the attached copy of the transmittal letter dated December 12, 1996.

3. We understand from Janice Smith of the Audio Services Division (202/418-2782) that the assignment application has been processed and published, everything is in order, no one has objected to the assignment, and the application is slated for approval during the week of February 3, 1997.

For these reasons, Quality requests that its motion be granted.

Executed this 3rd day of February, 1997.

CUSHING, MORRIS, ARMBRUSTER & JONES, LLP


Kevin R. Armbruster, Esq., Ga. Bar No. 021768

Attorneys for Quality Broadcasting, Inc.

229 Peachtree Street, N.E., Suite 2110
Atlanta, Georgia 30303
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December 12, 1996

VIA TELECOPIER (202) 418-1411 and U.S. MAIL

Ms. Sharlene T. Lofty
Audio Services Division
Mail Stop 1800B2, Room 344
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: AM Radio Station WNEX

Dear Ms. Lofty:

The station (WNEX-AM, Macon, Georgia) has now resumed operations and is no longer silent. It came back on the air on November 22, 1996.

TM Communications, Inc. (owned by J. Thomas McAfee, III) has submitted an application to the FCC for authority to assign the broadcast station license in connection with the sale of the station by its current owner, Quality Broadcasting, Inc. A copy of the application and transmittal letter is attached to this letter. I have omitted Exhibit 1 (the purchase agreement and its exhibits), since it is lengthy. If you need that Exhibit, please let me know, and I will send it to you.

Please let me know if you need anything else.

Very truly yours,

William M. Ellard
William M. Ellard

cc: Mr. J. Thomas McAfee, III
Kevin R. Armbruster, Esq.

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WRITER'S DIRECT DIAL NUMBER:

(404) 614-8105

January 15, 1997

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VIA TELECOPIER (202) 418-1410 and U.S. MAIL

Ms. Penny Dade
Audio Services Division
Room 332
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Re: AM Radio Station WNEX, Macon, Georgia

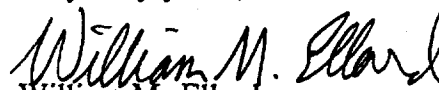
Dear Ms. Dade:

AM Radio Station WNEX has now resumed operations as authorized by its license and is no longer silent. It came back on the air on November 22, 1996.

I am advising you of this at the request of Erica Porter of your office. I understand that you need this information so that you can approve the application for renewal of the station's license. I have already sent a similar letter to Sharlene Lofty.

Please let me know if you need anything else.

Very truly yours,


William M. Ellard

cc: Kevin R. Armbruster, Esq.

F

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December 12, 1996

VIA U.S. EXPRESS MAIL

Federal Communications Commission
Mass Media Services
P.O. Box 358350
Pittsburgh, Pennsylvania 15251-5350

Re: REQUEST TO EXPEDITE APPLICATION OF FORMERLY SILENT STATION
TM Communications, Inc. / AM Radio Station WNEX
FCC 314 Application for Consent to Assignment of Broadcast Station License

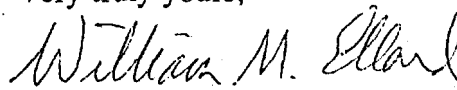
Dear Sir or Madam:

On behalf of TM Communications, Inc., to apply for authority to assign the broadcast station license for WNEX-AM, Macon, Georgia, I am enclosing an original and two copies of a completed FCC 314 application, with exhibits, and a check for \$690 payable to the Federal Communications Commission.

Although the station (WNEX-AM, Macon, Georgia) has now resumed operations and is no longer silent (it came back on the air on November 22, 1996), the FCC's Hearing Designation Order released 11/7/96 in connection with the application to renew the station's license, is still pending. In light of that pending proceeding, we request that this application be processed on an expedited basis.

Thank you for your consideration. If you need any additional information, please call Kevin Armbruster or me at 404/521-2323.

Very truly yours,


William M. Ellard

WME/lf

cc: Mr. J. Thomas McAfee, III
Kevin R. Armbruster, Esq.